HON'BLE SRI JUSTICE R.SUBHASH REDDY

WRIT PETITION NO : 17512 of 2007

Dated 6th October, 2007

Between
District Fishermen Cooperative Society, Karimnagar,
Rep. By its President, and, anr

…Petitioners

and

Government of Andhra Pradesh, rep. By its Principal Secretary,
Animal Husbandry & DD & Fisheries Department,
Secretariat, Hyderabad, and, ors

…Respondents.

THE HON'BLE MR JUSTICE R.SUBHASH REDDY

WRIT PETITION NO :17512 of 2007

ORDER:

The petitioners, who are the District Fishermen Cooperative Societies, and, members of the third respondent-AP State Fishermen Cooperative Societies Federation Limited, seek Writ of Mandamus to declare the action of the respondents in not conducting elections to the AP State Fishermen Cooperative Federation Limited as illegal and arbitrary.

It is stated that the term of the elected body was completed in the year 1995 and thereafter, without any valid reasons, no elections are being conducted to the third respondent. It is the grievance of the petitioners that as much as the third respondent is also a Society

registered under the AP Cooperative Societies Act, 1964, it is obligatory on the part of the respondents to conduct elections to manage the affairs of the third respondent-Federation.

Counter affidavit is filed on behalf of the respondents, stating that there was re-organization of the fishermen cooperative societies and they were brought down to 3 tier system from 4 tier system and two regional cooperative societies were merged in the third respondent-Federation and consequently, there was en block amendment of bye-law of the third respondent-federation. It is further submitted that in view of the re-organization of the fishery cooperative structure and merger of the regional cooperative societies, membership of the Federation is not clear and clarification is being sought from the Commissioner & Registrar of Cooperative Societies. It is further stated that action will be initiated for conduct of elections, after deciding the actual membership of the AP Fishermen Cooperative Societies Federation.

As much as the tenure of the elected body was completed in the year 1995 and from the last several years, no elections were conducted to third respondent-Federation, I dispose of the Writ Petition directing the respondents to finalise the membership of the third respondent-Federation, if necessary by seeking further clarification from the Commissioner & Registrar of Cooperative Societies. By finalizing the membership, the respondents are directed to take steps for conduct of elections to the Managing Committee of the third respondent-Federation within a period of three months from the date of receipt of a copy of this order.

Subject to the above direction, the Writ Petition is disposed of. No order as to costs.

JUSTICE R. SUBHASH REDDY

DATE: 06-10-2007.
Msnr.